



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

DA 10-1048  
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## DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF LIBERTY-BELL TELECOM, LLC TO MULTI-LINK TELECOM, LLC

### STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-105

**Comments Due: June 23, 2010**

**Reply Comments Due: June 30, 2010**

On May 6, 2010, Multi-Link Telecom, LLC (MLT) (now known as Liberty-Bell, LLC) and Liberty-Bell Telecom, LLC (Liberty-Bell Telecom) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules<sup>1</sup> to transfer control of Liberty-Bell Telecom to MLT. Applicants closed this transaction without authority on or about September 13, 2006.<sup>2</sup>

MLT, a Colorado limited liability company, was a holding company that did not itself provide telecommunications services. It changed its name to Liberty-Bell, LLC in 2008. Liberty-Bell Telecom, also a Colorado limited liability company, is wholly owned by MLT/Liberty-Bell, LLC and provides competitive local exchange and long distance services in Colorado and has limited operations in New Mexico and Utah. Prior to the September 2006 transaction, Liberty-Bell Telecom, LLC was owned by the following U.S. citizens: Thomas G. Martino (45 percent), Robert S. Unger (34 percent), and Christopher Kane (13 percent, indirectly through his wholly-owned entity, CK Affiliate Sales LLC). At the time of the transaction, MLT acquired 100 percent of Liberty-Bell Telecom. MLT was owned by the following individuals: Nigel Alexander (70 percent, United Kingdom citizenship at the time of the sale),<sup>3</sup>

<sup>1</sup> 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing an application for a transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic section 214 application on May 27, 2010.

<sup>2</sup> Liberty Bell Telecom also filed a request for special temporary authority (STA) to allow it to continue to provide service to customers while its section 214 application is pending. It states that, at the time of the transfer, MLT and Liberty-Bell Telecom inadvertently failed to seek approval for the transaction, and that Liberty-Bell Telecom discovered the violation during a recent review of company records. On June 9, 2010, the Wireline Competition Bureau granted the STA for the domestic authorization for a period of 60 days. A grant of the application will be without prejudice to any enforcement action by the Commission for non-compliance with the Communications Act of 1934, as amended, or the Commission's rules. Letter from Edward S. Quill and Brian McDermott, Counsel for MLT and Liberty-Bell Telecom, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-105 (filed May 5, 2010).

<sup>3</sup> Applicants state that Mr. Alexander became a U.S. citizen on May 27, 2010.

Thomas G. Martino (14 percent), and Robert S. Unger (10 percent). Applicants state that no other individual or entity owned or controlled a 10 percent or greater direct or indirect interest in Liberty-Bell Telecom after the transaction closed.<sup>4</sup> Applicant asserts that the previously consummated transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.<sup>5</sup>

Domestic Section 214 Application Filed for the Transfer of Control of  
Liberty-Bell Telecom, LLC to Multi-Link Telecom, LLC, WC Docket No. 10-105 (filed  
May 6, 2010).

## **GENERAL INFORMATION**

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before June 23, 2010**, and reply comments **on or before June 30, 2010**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31<sup>st</sup> day after the date of this notice.<sup>6</sup> Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking Portal. *See* 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal e-Rulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov) and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

### **In addition, e-mail one copy of each pleading to each of the following:**

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); phone: (202) 488-5300; fax: (202) 488-5563;

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<sup>4</sup> On April 27, 2010, Liberty-Bell Telecom filed an application seeking authority for Nigel Alexander to transfer his interests in Liberty-Bell, LLC to Brenda Alexander, his spouse and a U.S. citizen. Following consummation of that proposed transaction, Brenda Alexander will own 48 percent and Thomas G. Martino will own 11 percent of Liberty-Bell, LLC, which will own 100 percent of Liberty-Bell Telecom, LLC. Application for Grant of Authority Pursuant to Section 214 of the Communications Act, Liberty-Bell Telecom, LLC, WC Docket No. 10-96 (filed Apr. 27, 2010).

<sup>5</sup> 47 C.F.R. § 63.03(b)(2)(i).

<sup>6</sup> Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson-parker@fcc.gov](mailto:tracey.wilson-parker@fcc.gov);
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, [jodie.may@fcc.gov](mailto:jodie.may@fcc.gov);
- 4) David Krech, Policy Division, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov); and
- 5) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: (202) 488-5300; fax: (202) 488-5563; e-mail: [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); url: [www.bcpiweb.com](http://www.bcpiweb.com).

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For further information, please contact Tracey Wilson-Parker at (202) 418-1394 or Jodie May at (202) 418-0913.